

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BILLY STEFFEY,

Defendant.

Case No. 12-cr-00083-APG-GWF

ORDER

This matter is before the Court on Defendant's Motion for Relief (ECF No. 496), filed on July 11, 2017. The Government filed its Response (ECF No. 497) on July 18, 2017.

On August 7, 2014, the Court sentenced Defendant and on August 8, 2014 entered judgment. *See* ECF Nos. 309, 311. On July 7, 2017, the Court denied Defendant's Motion to Vacate pursuant to 28 U.S.C. § 2255 (ECF No. 421), denied Defendant's request for certificate of appealability, and granted the Government's Motion to Dismiss (ECF No. 434). *See* ECF No. 495. Defendant is currently incarcerated in Lompoc, California. Defendant alleges that the Bureau of Prisons ("BOP") is opening his legal mail and requests an order instructing prison officials to not open his legal mail. The Government argues that Defendant failed to exhaust administrative remedies prior to filing his motion and that he should have filed his motion in the district in which he is incarcerated.

The Court denies Defendant's request on the basis of a lack of jurisdiction. To the extent that Defendant is requesting dispositive permanent and/or injunctive relief, the Court recommends that his request be denied. To the extent that Defendant has a claim against the BOP, he may pursue it through an independent action. Accordingly,

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